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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,287	10/18/2001	Bernhard Dohrmann	59575-014	6542

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EXAMINER

ROVNAK, JOHN EDMUND

ART UNIT PAPER NUMBER

3714

DATE MAILED: 04/13/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,287

Applicant(s)

DOHRMANN, BERNHARD

Examiner

John E. Rovnak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 and 38-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 and 38-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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1. Applicant's arguments with respect to claims 1-36 and 38-41 have been considered but are moot in view of the new ground(s) of rejection.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-21, 26-30, 38-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Slezak.
5. Sekzak discloses the following.

A computer implemented delivery system for instructional information comprising: at least one source that provides data [FIG. 1 (29, 31, 51, 49)]; at least one user interface that receives from a user input related to the data [Fig. 1, (43,40,42)]; a plurality of output devices that receives audio and visual components of the instructional information [Fig. 3]; a processor that generates audio and visual components of instructional information from provided data to at least one output device according to a software algorithm containing at least one predetermined rule [Fig. 1, (21, 35, 7, 37, 38)]; and communication links that transmit data and information between the at least one source, the user interface, the processor and the output devices [Fig. 1, (51, 54, 52) and connection lines between devices].

" When used in a LAN networking environment, the desktop computer 4 is connected to the local area network 51 through a network interface or adapter 53. When used in a WAN networking environment, the desktop computer 4 typically includes a modem 54 or other means for establishing communications over the wide area network 52, such as the Internet. The modem 54, which can be internal or external, is connected to the system bus

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23 via the serial port interface 46. In a network environment, program modules depicted relative to the desktop computer 4, or portions thereof, can be stored in the remote memory storage devices, not shown. It will be appreciated that the network connections shown are exemplary and other means of establishing a communications link between the computers may be used. In the embodiment illustrated, the mobile device 3A also connects to the desktop computer 4 through the serial port interface 46. "

"FIG. 3 illustrates a multiple monitor embodiment of the present invention. In FIG. 3, the monitors 47A-47C are positioned proximate each other for substantially simultaneous viewing by a user 100. The monitors 47A-47C display different visual information to the user 100 pursuant to the single or multiple applications being executed on the desktop computer 4. For instance, monitor 47A can be operated to display personal information such as electronic mail and/or scheduler information for the user 100, while monitor 47B is operated to display visual information pursuant to a database application or word processor application. Monitor 47C can be operated to display yet further information from a different application being executed by the desktop computer 4. For instance, monitor 47C can display time-critical information such as an application that monitors current stock values being traded in a stock market. In this exemplary embodiment, the user 100 may be working directly with the database or wordprocessor application being displayed via the monitor 47B when relevant information may be displayed on either the monitor 47A or the monitor 47C. In prior art systems, the user 100 would need to rely on noticing visual cues being displayed on monitors 47A or 47C in order to realize that relevant information is being displayed thereon. One aspect of the present invention includes spacialization of audio in conjunction with the visual cues in order to direct the attention of the user 100 to possibly relevant information. In the embodiment illustrated, the speakers 55A-55D are positioned about the user 100 in a manner to selectively simulate sound sources about the user 100 in conjunction with visual cues provided by the monitors 47A-47C. For instance, the speakers 55A-55D can be operated to simulate a sound source 102, for example, a bell, tone or chime, in front of the monitor 47A when the user 100 receives a new electronic message via the electronic mail program being executed on the desktop computer 4. Location of the sound source 102 in front of the monitor 47A thereby directs the attention of the user 100 to the monitor 47A whereupon a visual cue displayed thereon also indicates that a new message has been received."

Fig. 4 shows a display screen divided into four equal viewing areas. The mere duplication of parts has no patentable significance unless a new and unexpected result is produced. [In re Harza, 274 F.2d 669, 124 USPQ 378 (CCPA 1960)]

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6. Applicant's use of unequal viewing areas and/or the dividing of viewing areas into a pattern different from other screens is an inherent feature of Selzak. Selzak, Fig. 4 teaches a display screen divided into four equal viewing areas. Selzak further teaches: " The desktop computer 4 runs the operating system 35 that is stored in any of the memory storage devices illustrated in FIG. 2 and executes on the processing unit 21. One suitable operating system is a Windows brand operating system sold by Microsoft Corporation, such as windows 95 or Windows NT, or other derivative versions of Windows brand operating systems, or another suitable operating system. Other suitable operating systems include systems such as Macintosh OS sold by Apple Corporation, and the OS/2 Presentation Manager sold by International Business Machines (IBM). " The above operating systems allow for the dividing of viewing areas into unequal viewing areas and/or areas different from the other screens disclosed by Selzak.
7. The Selzak keyboard is an annotation device.
8. Selzak discloses providing data captured from a presentation conducted simultaneously with broadcasting visual and audio components.

FIGS. 4-10 illustrate other aspects of the present invention wherein stationary or moving simulated sound sources are used in conjunction with visual cues provided on a single monitor in order to enhance understanding of the displayed information and improve user interaction. FIG. 4 illustrates a "virtual" meeting. In a virtual meeting, some or all of the participants in the meeting are located at remote locations. Each participant in the meeting preferably can see a monitor 140 that displays some or all of the other participants in isolated portions of the screen display. In the embodiment illustrated, the virtual meeting comprises five participants. A first participant can see the monitor 140, while each of the other participants indicated at 144A, 144B, 144C and 144D are displayed in each of the four quadrants of the monitor 140. Preferably, the four participants 144A-144D are displayed in real time wherein a camera located proximate each of the participants 144A-144D captures a visual image of the participants 144A-144D and transmits a corresponding image to each of the other participants substantially in real time. If desired, stationary images of the participants 144A-144D can be used or other visual indications can be provided on the monitor 140 to represent each of the participants 144A-144D.

(18) In addition to preferably a camera located proximate each participant 144A-144D, a microphone is also provided to capture and provide an audio signal for each of the participants 144A-144D. The audio signals and the video signals, if present, are transmitted to each of the participants 144A-144D using known communication methods and protocols over a local, Intranet or Internet system. In this aspect of the present invention, simulated sound sources 148A, 148B, 148C and 148D are generated by spaced-apart

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speakers or headphones to associate each respective audio signal with the visual indication of the participant 144A-144D provided on the monitor 140. For instance, the simulated sound sources 148A-148D are generated proximate each respective corner of the monitor 140 closest to the visual images of the participants 144A-144D. In this manner, the user viewing the monitor 140 can easily discriminate or associate the audio signal received and transmitted through the speakers with the corresponding participant that is talking. The location and orientation of the simulated sound source for each of the participants 144A-144D can be varied as desired proximate the monitor 140 and ii) the 3D space surrounding the user as a function of the number of participants in the meeting and their arrangement on the monitor 140.

9. Claims 22-25, 31-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Selzak in view of Konopka et al.

10. Although Selzak does not discuss the use of well known touch panel technology and control panel emulation, Konopka et al does so in col. 8.

"According to the preferred embodiment, the control panel 302 is hard-wired to a CPU module 51 for controlling audio/video functions. The control panel 302 according to a preferred configuration exhibits a liquid-crystal display touch screen control panel. The LCD touch screen panel may display icons representing various audio/video control elements."

11. It would therefore have been obvious to one of ordinary skill in the art that the touch screen technology and control panel emulation could be used by Selzak for control of data sources.

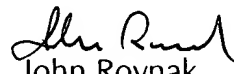
12. Selzak utilizes window technology as discussed above for displaying an area for an active source window for displaying an image on one or more output devices.

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13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Okita et al discloses a video signal editing apparatus (see Fig. 6). Metcalf, Hull, Lechner, Goddard et al, JP2000-285263 and Pollak disclose multi-panel display systems. Abrahamson and Lewis et al disclose educational network systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John E. Rovnak whose telephone number is (703) 308-3087. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on (703) 308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John Rovnak
Primary Examiner
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